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13142 U.S.PTO

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 42P17528
(maximum 12 characters)

First Named Inventor Justin K. Brask

Title: A METHOD OF VARYING ETCH SELECTIVITIES OF A FILM

Express Mail Label No. EV 409 362 056 US

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. **Specification (Total Pages 30)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s) (35 USC 113) (Total Sheets 8)**
5. **Oath or Declaration (Total Pages 4)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper

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c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents)
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 b. Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)
 b. Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17A. Other: _____

17B. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Correspondence Address
Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label
here)
 Correspondence Address Below
NAME Michael A. Bernadicou
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
ADDRESS 12400 Wilshire Boulevard
Seventh Floor
CITY Los Angeles STATE California ZIP CODE 90025
Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): Michael A. Bernadicou Registration No.: 35,934
Signature: Michael A. Bernadicou Date: 12/30/03

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) \$1,262.00

Completeness if Known:

Application No. Not yet assigned

Filing Date Herewith

First Named Inventor Justin K. Brask

Examiner Name Not yet assigned

Art Unit Not yet assigned

Attorney Docket No. 42P17528

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity **Small Entity**

Fee	Fee	Fee	Fee
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Code	(\$)	Code	(\$)
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1001	770	2001	385
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1002	340	2002	170
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1003	530	2003	265
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1004	770	2004	385
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1005	160	2005	80
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Fee Description

Fee Paid

\$770.00

SUBTOTAL (1) \$770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims

Fee from

below

Fee Paid

Total Claims	<u>31</u>	<u>- 20**</u>	<u>= 13</u>	<input checked="" type="checkbox"/>	<u>\$18.00</u>	<u>= \$234.00</u>
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Independent Claims	<u>6</u>	<u>- 3**</u>	<u>= 3</u>	<input checked="" type="checkbox"/>	<u>\$86.00</u>	<u>= \$258.00</u>
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Multiple Dependent				<input checked="" type="checkbox"/>	<u>\$290.00</u>	<u>=</u>
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**Or number previously paid, if greater; For Reissues, see below.

Large Entity **Small Entity**

Fee	Fee	Fee	Fee
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Code	(\$)	Code	(\$)
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1202	18	2202	9
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1201	86	2201	43
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1203	290	2203	145
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1204	86	2204	43
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1205	18	2205	9
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Claims in excess of 20

Independent claims in excess of 3

Multipl d pendent claim, if not paid

**Reissu indep ndent claims ver riginal patent

**R issue claims in xc ss of 20 and ver riginal pat nt

SUBTOTAL (2) \$492.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
F e Fee	F e Fee		
Code (\$)	Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	_____
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	_____
1053 130	1053 130	Non-English specification	_____
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	_____
1813 8,800	1813 8,800	Request for inter parties reexamination	_____
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	_____
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	_____
1251 110	2251 55	Extension for reply within first month	_____
1252 420	2252 210	Extension for reply within second month	_____
1253 950	2253 475	Extension for reply within third month	_____
1254 1,480	2254 740	Extension for reply within fourth month	_____
1255 2,010	2255 1,005	Extension for reply within fifth month	_____
1401 330	2401 165	Notice of Appeal	_____
1402 330	2402 165	Filing a brief in support of an appeal	_____
1403 290	2403 145	Request for oral hearing	_____
1451 1,510	1451 1,510	Petition to institute a public use proceeding	_____
1452 110	2452 55	Petition to revive – unavoidable	_____
1453 1,330	2453 665	Petition to revive - unintentional	_____
1501 1,330	2501 665	Utility issue fee (or reissue)	_____
1502 480	2502 240	Design issue fee	_____
1503 640	2503 320	Plant issue fee	_____
1460 130	1460 130	Petitions to the Commissioner	_____
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	_____
1806 180	1806 180	Submission of Information Disclosure Stmt	_____
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	_____
1809 770	2809 385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814 110	2814 55	Statutory Disclaimer	_____
1810 770	2810 385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801 770	2801 385	Request for Continued Examination (RCE)	_____
1802 900	1802 900	Request for expedited examination of a design application	_____
1504 300	1504 300	Publication fee for early, voluntary, or normal pub.	_____
1505 300	1505 300	Publication fee for republication	_____
1803 130	1803 130	Request for voluntary publication or republication	_____
1808 130	1808 130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454 1,330	1454 1,330	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael A. Bernadicou

Signatur : Michael A. Bernadicou Dat : 12/30/03

R g. Number: 35,934 T leph ne Number: (408) 720-8300

Send to : Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450